

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

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WRIT PETITION NO : 19773 of 2002

Between:

1)Prahlad Desai, s/o.Gunde Rao,

2)M.Pochaiah, s/o.Lalaiah.

Both are residents of Pulkal village,

Bitchukonda mandal, Nizamabad dist.

..... PETITIONERS

AND

1)The District Collector, Nizamabad dist., Nizamabad.

2)The District Level Committee for sand quarries,

rep. by its Convenor, Panchayat Officer, Nizamabad.

3)The Chief Executive Officer, Zillaparishad, Mahaboobabad.

4)P.Bhoomi Reddy, s/o.P.Chenna Reddy, Saraswathi Nagar,

Nizamabad. RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, or order or direction more particularly in the nature of writ of Mandamus

declaring the inaction action on the part of the respondents in taking appropriate action to cancel the quarry lease of respondent no.4 in Pulkal reach in Manjeera river, Nizamabad district to protect the ground water tables as illegal and unconstitutional and consequently direct respondent to issue appropriate notification for canceling the sand quarrying leases of the fourth respondent in Manjeera River, Pulkal reach, Bichkonda mandal, Nizamabad district while denotifying it for sand quarrying.

Counsel for the Petitioners: MR.K.S.MURTHY

Counsel for the Respondents 1 to 3: THE ADVOCATE GENERAL

Counsel for the respondent no.4: Mr. K.Raghuveer Reddy.

The Court made the following :

THE HON'BLE SRI DEVINDER GUPTA,
THE CHIEF JUSTICE

WRIT PETITION No.19773 OF 2002

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ORDER :

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The learned counsel for the respondents says that the period of lease itself has come an end for which the grievance was made by the petitioners for cancelling the same. While leaving the question raised by the petitioner in this petition open to be decided in an appropriate petition subsequently, this Writ Petition is dismissed as having been rendered infructuous.

08.07.2004

tvr/drk

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Copy to:

- 1)The District Collector, Nizamabad dist., Nizamabad.
- 2)The Convenor, District Level Committee for sand quarries,
Panchayat Officer, Nizamabad.
- 3)The Chief Executive Officer, Zillaparishad, Mahaboobabad.
- 4)Two CCs to the Advocate General, High Court buildings, High Court of A.P.,
Hyderabad (o.u.t.).
- 5)Two CD copies.